

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**UNITED STATES OF AMERICA**

**v.**

**MAGISTRATE NO. 3:16-MJ-13-SAA**

**THOMAS MUHAMMAD DARWISH**

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Mark Hodges, an Officer with Oxford, Mississippi Police Department, being duly sworn, depose and state:

**INTRODUCTION**

I am a certified law enforcement officer with the State of Mississippi and have worked in law enforcement since 1999. I attended the Mississippi Law Enforcement Officers Training Academy in Pearl, Mississippi, graduating in March of 2000. At that time I was employed as an Officer for the Greenville Police Department. During my time there, I also worked with the Narcotics Unit and Investigation Division. I have attended classes and seminars related to criminal investigations, search warrants, narcotics, and undercover operations. In 2005 I went to work for the Washington County Sheriff Department and was assigned to the K9 Unit until 2008 when I started to work as a Probation Officer with the Mississippi Department of Corrections in Washington County. In 2009 I started work with the Oxford Police Department as a patrol officer. In 2011 I was assigned to the K9 Unit until my K9 retired in 2013. In 2014 I was assigned to the Investigations Division. I have also prepared both misdemeanor and felony cases and assisted with search warrants and written search warrants executed in Lafayette County, MS. I submit this affidavit in support of a Criminal Complaint seeking an Arrest Warrant for Thomas Muhammad Darwish.

I have personally participated in the investigation set forth below. I am familiar with the facts and circumstances of the investigation through my personal participation and from my review of records and reports relating to the investigation, including the content of conversations and images sent by and received to the cellular telephone of the victim of this case, as well as electronic communications of the victim in this case done by computers assigned to her by her school district. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included details of every aspect of the investigation. Facts not set forth herein are not being relied on in reaching my conclusion that the requested warrant should be issued. Nor do I request that this Court rely on any facts not set forth herein in reviewing this application.

Probable cause exists to believe that Thomas Muhammad Darwish has engaged in offenses against a minor victim and the United States information, specifically, the use of a minor to engage in sexually explicit conduct for the purpose of producing visual productions of such sexually explicit conduct, in violation of 18 U.S.C. § 2251(a) and the use of facilities in interstate commerce to persuade, induce, entice, or coerce a minor to engage in sexual activity for which a person could be charged with a criminal offense, being statutory rape and sexual battery under Mississippi state law (Mississippi Code Annotated §§ 97365(a) and 97395(1)(c)), in violation of 18 U.S.C. § 2423(b), the "TARGET OFFENSES."

For the reasons set out in this affidavit, there is probable cause to believe that the TARGET OFFENSES have been committed by Thomas Muhammad Darwish.

#### **BACKGROUND OF THE INVESTIGATION**

Around August 2015 Thomas Muhammad Darwish met a 15 year old minor female on an Internet social media web-site. Thomas Muhammad Darwish, who was then 24 years old (he has

now turned 25), and the minor engaged in conversation that eventually led to sharing images, and contact by texting and use of another Internet site and telephone application called Kik messenger. The pair began an on-line sexual relationship. The minor resides in Oxford, Mississippi and at some point Thomas Muhammad Darwish moved to Oxford, Mississippi. On at least one occasion the minor and Thomas Muhammad Darwish traveled from Oxford, Mississippi to Senatobia, Mississippi. Once at Senatobia, Thomas Muhammad Darwish and the minor obtained a hotel room and had sexual intercourse numerous times.

Thomas Muhammad Darwish requested that the minor take photographs of her genitalia and pubic area numerous times from August 2015 through March 2016, which the minor did. The minor, at Thomas Muhammad Darwish's request sent the images of her genitalia and pubic area to Thomas Muhammad Darwish via her cellular telephone.

The parents of the minor learned of and reported the relationship in March 2016 and turned the minor's cellular telephone over to the Oxford, Mississippi Police Department. A search of the minor's telephone revealed the images of child pornography, the transmission of the images to Thomas Muhammad Darwish's cellular telephone, and conversations between Thomas Muhammad Darwish and the minor of a frank sexual nature via text and Kik messenger.

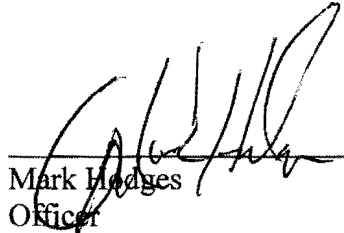
Thomas Muhammad Darwish learned that the relationship had been discovered and left his employment in Oxford as a pizza delivery man. He left without picking up his last paycheck and left a forwarding address with his former employer in Florida (believed to be a relative's address).

I have spoken with acquaintances of the minor who informed me that the minor used the laptop computer assigned to her by the Oxford, Mississippi, School District, described herein, to delete her Facebook social media page, her emails, and all her contacts after the relationship


between her and Thomas Muhammad Darwish was discovered. Family members delivered the laptop computer to me at the Oxford Police Department on March 30, 2016. I obtained a search warrant for that computer and examined its contents. On the computer I found evidence of communications between the minor and Thomas Muhammad Darwish using Internet applications.

Based on the foregoing, there is probable cause to believe that Thomas Muhammad Darwish has committed offenses against the United States, including the use of a minor to engage in sexually explicit conduct for the purpose of producing visual productions of such sexually explicit conduct, in violation of 18 U.S.C. § 2251(a) and the use of facilities in interstate commerce to persuade, induce, entice, or coerce a minor to engage in sexual activity for which a person could be charged with a criminal offense, being statutory rape and sexual battery under Mississippi state law (Mississippi Code Annotated §§ 97365(a) and 97395(1)(c)).

It is requested that the Court issue a warrant authorizing agents to arrest Thomas Muhammad Darwish.

  
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Mark Hodges  
Officer  
Oxford, Mississippi Police Department

Sworn to before me this 22<sup>d</sup> day of April, 2016.

  
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UNITED STATES MAGISTRATE JUDGE  
NORTHERN DISTRICT OF MISSISSIPPI